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A commission of 23 faculty members, students, and an alumnus was appointed to study problems arising from student demonstrations at the University of Minnesota in the fall of 1967, and to recommend policies by which the university could deal with such problems. The commission, appointed by the university's president, was to formulate guidelines by which the university could distinguish between peaceful or legitimate, and violent or disruptive, demonstrations. The 16 guidelines presented in the report are largely based on existing procedures for the enforcement of university policy on demonstrations by punitive actions when all other means have failed. The commission permits and encourages the use of university grounds as a forum for the free exchange and criticism of ideas, but it emphasizes the need for students, teachers, administrators, and other members of the university community to follow orderly demonstration procedures that do not disrupt instructional, administrative, or other functions of the university. The guidelines also discuss distinctions between different types of demonstrations, who should identify, arrest and remove trespassers from the campus, off-campus student activities, the use of the university's name, and institutional supervision and control over individual or group misconduct. (WM)

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Report of the University of Minnesota Commission on Campus Demonstrations

April 24, 1968

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
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HE 000 631

University of Minnesota

Minneapolis, Minnesota

UNIVERSITY OF MINNESOTA COMMISSION ON CAMPUS DEMONSTRATIONS

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SUMMARY OF REPORT*

INTRODUCTION

Following several demonstrations on the University of Minnesota's Twin Cities Campus in the fall of 1967, President Malcolm Moos appointed a commission of twenty-three faculty, students and an alumnus to study the problems arising from demonstrations and to recommend policies by which the University of Minnesota can deal with such problems.

It is the purpose of this Commission to formulate guidelines by which the University of Minnesota and its officers can distinguish as expressions of dissent between peaceful and legitimate demonstrations and violent, disruptive demonstrations which prevent the University from fulfilling its missions.

1. *Demonstrations should be permitted and encouraged.* Because of its purpose, nature, and functions, it would be self-defeating for a university to attempt to prohibit or even to discourage dissent. The orderly demonstration as an expression of favor or dissent should be permitted and encouraged on a university campus. (p. 2, par. 4, 5)

2. *Members of the academic community must be free to organize, discuss, pass resolutions, distribute leaflets, circulate petitions, picket and take other lawful action, but they have an obligation to preserve the University's free and unhampered search for truth.* The members of this Commission believe that if free inquiry is to thrive certain conditions of order must be maintained. Members of the academic community should be free to organize, discuss, pass resolutions, distribute leaflets, circulate petitions, picket, and take other lawful action respecting any matter of interest or concern to them. At the same time, they should recognize that they live their academic lives under a government of law, implemented by joint action of students, faculty and administration . . . They should, indeed must, recognize that they have an obligation to preserve the university's free

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* The Commission considers that the basic principles of this Report of the University of Minnesota Commission on Campus Demonstrations are applicable to all campuses and expects that the Twin Cities, Morris, Duluth, and Crookston campuses will develop procedures consistent with these principles. It is understood that different procedures may be called for on different campuses.

and unhampered search for truth, whatever their own present state of certainty or uncertainty. (p. 2, par. 2)

3. *Demonstrations which disrupt the functioning of a university endanger its existence.* Demonstrations which *disrupt the functioning* of a university must be seen as what they are: acts that endanger the existence of the university, one institution that provides hope for the use of rational means to solve the problems of men living in a society. (p. 4, par. 2)

4. *Disruptions which interfere with the orderly process of the teaching program and administrative functions cannot be allowed.* Several of those who spoke in hearings before the Commission asserted the propriety of interfering with the freedom of others in order to give prominence to their own position or arguments. The proposition was defended that a demonstrating group may enter an office without permission, pick up and carry out the furniture and place it in the hallway. No harm was done, it was stated, by such action because it was intended as "symbolic," as an expression of dissent and not as an interference with the property of others. Such interference with and disruption of the office and affairs of others was rationalized by reason of the importance of the cause underlying the demonstration. In similar vein, an attempt was made to justify the practice of completely obstructing the entrance to an office so as to frustrate a a program of interviews. This interference with the rights and interests of others was defended on the ground of the relative strength and importance of the principle being asserted by the demonstrators. The Commission does not acknowledge that a few can be justified in arrogating to themselves, the right to dictate to others through "symbolic" or other acts. We are fortunate that such incidents have been few, not serious, and short-lived. (p. 4, par. 5)

The activities of an individual or group of individuals cannot be allowed, in the name of free speech, to disrupt or interfere with the orderly process of the teaching program. (p. 5, par. 1)

What is true of the classroom and the teaching function is also true of the administrative function in the University . . . Both teaching and administration are entitled to proper protection against unreasonable disruption and interference. What is unreasonable disruption or interference will necessarily depend on the circumstances of the particular case. (p. 5, par. 2)

What is said of the classroom and the office of administrators is applicable to other University facilities, for instance, blocking a passageway with such numbers as to prevent regular traffic violates the same principle. (p. 5, par. 3)

5. *Those who cause property damage will be held accountable.* Although we are here concerned with disruption of activities, it is to be clearly understood that persons causing deliberate and wanton damage to property will be held accountable. (p. 6, par. 1)

6. *The Twin Cities Campus policy limiting rallies to the front of Coffman Union should be revoked.* Can demonstrations or protests, as the present Twin Cities campus rally policy states, be reasonably confined to unions or any other specific locale? We think not. And the existing policy which has wisely been left in abeyance by the Dean of Students Office, should be formally revoked. What is required rather is that each student accept responsibility for his own conduct, recognizing that such conduct even outside classrooms, halls and administrative offices can have a disruptive effect on the regular and proper functions of the University. (p. 6, par. 2)

7. *Those students whose conduct has unreasonably disrupted the activities of the University or infringed upon the rights of others may be called into question before an appropriate hearing authority.* Rather than spell out in detail a code of do's and don't's, it seems prudent to rest ultimate responsibility on each student as an individual. He must be aware that if his conduct is found to have unreasonably disrupted the activities of the University or infringed upon the rights of other students, faculty members or other users of the University, he may be called in to question before an appropriate hearing authority. Failure to meet this standard will result in appropriate sanctions. (p. 6, par. 3)

8. *The existing requirement of securing advance permission to demonstrate should be abandoned; however, groups planning a demonstration are urged to file a notice of intent.* The Commission considers that the existing requirement of securing advance permission to demonstrate should be abandoned. Such a system of licensing does little to secure individual behavior in compliance with University standards, savors of prior restraint, and raises numerous problems of definition as to what constitutes a demonstration and issues of responsibility as, for example, when persons beyond the original planners decide to join in and help, or heckle and hinder. (p. 6, par. 4)

This recommendation is not intended to affect existing practices with respect to assignment of room space and other facilities within University buildings. (p. 7, par. 1)

Because we believe that genuine goodwill and a spirit of cooperation exist within the University, we urge any group planning a demonstration to file notice of intent, estimating numbers and describing proposed location. This proposal is not made in the spirit of censorship or with intent to establish a requirement of prior approval of such demonstration. It is based, rather, on the commonsense proposition that where groups gather for purposes of demonstrating, history suggests that opponents may also gather. Voluntary compliance with such a notice system will not only facilitate the orderly disposition of police, if required, and minimize the risk of emergency police action, but will also serve to protect orderly demonstrators from unfair harassment which constitutes just as serious a violation of free speech and open community policy as do some of the violations already considered. (p. 7, par. 2)

9. *Trespassers may be arrested and removed from University premises by the University police.* Failure of a person on university property to follow a reasonably founded request to leave university facilities, expressed by one duly authorized to make it, makes him a trespasser. While it is to be hoped that such a remedy will rarely if ever be called for, trespassers may be identified, arrested and removed from University premises. The appropriate authority to effect removal in the case of willful trespass is the University police. (p. 8, par. 1)

10. *The University may decide to exercise its authority as property owner and as holder of inherent delegated legislative authority, to eject members of the public who seriously abuse their privilege of coming upon the campus.* The University, as a community dedicated to learning and the exchange of ideas, is open to the public as well as to registered students. Members of the public, however, owe a serious duty, when on campus, to observe the reasonable rules and regulations of the University designed to permit the orderly discharge of University functions. Those who are not students cannot be subjected to the same hearing procedures as are students. The University may decide to exercise its authority as property owner and as holder of delegated legislative authority, to eject members of the public who seriously abuse their privilege of coming upon the campus. The appropriate sanction in such cases will be removal from the

campus by the University police and, if necessary, prosecutions in the courts for trespass violations. (p. 8, par. 2)

11. *This policy is applicable not only to students but also to other members of the academic community — teachers, administrators, and civil service employees.* Since the proposed policy on demonstrations and its protections are based on the recognition and protection of the basic University purposes and services, it should follow that the policy is applicable not only to students but also to other members of the academic community — teachers, administrators, and civil service employees. All alike share the protections, responsibilities, and freedoms of this policy. The faculty are held accountable under the standards and requirements of the tenure code (which has a limited application to non-tenure as well as to tenure personnel), while civil service personnel are subject to their own procedures. (p. 8, par. 3)

12. *The effectiveness of a demonstration policy depends upon the procedures by which it is applied and implemented. These procedures must meet with generosity and not merely adequacy the constitutional requirements of due process.* The Commission states its belief that the effectiveness of a demonstrations policy will in the long run depend upon the procedures by which it is applied and implemented rather than on the abstract words of the policy standards. Those procedures must meet with generosity and not merely adequacy the constitutional requirements of due process. To this end the process of investigation and complaint must be divorced, insofar as is possible, from the process of hearing and adjudication. These procedures should be applied in all cases within the university community where violations of this policy are alleged. (p. 9, par. 1)

    The Commission recommends that existing procedures be reviewed for conformity with the foregoing standard; however, it believes that it is not its responsibility to conduct such a review. (p. 9, par. 2)

13. *When student groups organize a demonstration on campus which is intended to violate the demonstrations policy, action may be taken against the group as well as individuals.* Where a recognized student group organizes a demonstration on its campus which is intended to violate the demonstrations policy and in fact does so, action may be taken not only against the individual students responsible under the student misconduct policy but also against the recognized group. The sanction in

this latter case is withdrawal of recognition and consequent loss of diverse privileges. It must be made clear that, in case of violations of the demonstrations policy, group responsibility (as distinct from individual responsibility) can only be predicated upon either: a) deliberate preparation and conduct of a demonstration by the officers and members responsible, acting in the capacity as officers or members of the group, in such a manner as to violate the University policy; or deliberately conducting a demonstration under the same circumstances; or b) culpable failure on the part of the officers or members of the group, acting as officers or members, to take steps reasonably available to them in the circumstances which could have avoided or substantially mitigated the violation of the University demonstrations policy. (p. 9, par. 3)

14. *The all-University policy should specifically preempt departmental or divisional policies on demonstrations.* Existing policy as to student misconduct vests all authority for non-academic violations in the office of the Dean of Students on the Twin Cities campus and designated officers on other campuses. The problem here seems to be one of all-University concern in which a unified policy should be applied uniformly to all students subject thereto. For this reason, the all-University policy should specifically preempt departmental or divisional policies on demonstrations. (p. 10, par. 2)

15. *University policy on demonstrations should not apply to student conduct off campus unless it has a direct and immediate impact upon the orderly administration of the University's activities and constitutes a disruption of those orderly processes. The burden of proving such a direct and immediate impact must be a substantial one.* University policy on demonstrations should not apply to student conduct off campus unless by reason of the nature, purpose and organization of the demonstration, and the student participation therein, it has a direct and immediate impact on the orderly administration of the University's activities and constitutes a "disruption," even though occurring off campus, of those orderly processes. The burden of proving such a direct and immediate impact must be a substantial one. (p. 11, par. 3)

    To the extent that this constitutes a departure from existing University policies governing student behavior off campus, existing policy should be reconsidered. (p. 11, par. 4)

16. *The University has a legitimate interest in regulating and controlling the use of its name. Where groups off campus use the University's name as a material part of their plans the special University concern is activated.* In short, does the University have a need to regulate and control the activities of student organizations acting off campus precisely because they act and operate as student organizations and therefore, in a limited sense, involve the name of the University? The answer to this question appears to be "yes." The University has a legitimate interest in regulating and controlling insofar as it can, the use of the University's name. Where the group off campus makes use, as a material part of its plan, of the University name or gives prominence to the fact that the group is "recognized" as a University organization, or that it is such a University organization, the special University community concern is activated and grounds are established for reasonable regulations of the representation involved. The sanction of withdrawal of recognition by the University appears to be the appropriate remedy with such consequential loss of privileges on campus for the group as may reasonably be decided upon. (p. 11, par. 5)

Conclusion

Much of the content of the report is dependent on the existence of procedures for the enforcement of University policy on demonstrations by punitive sanctions when all other means have failed. We believe it is important that such procedures be understood and available. We hope there will never be a need to invoke them, and as we view the history of the University of Minnesota we do not expect that there will be.

The Commission emphasizes in conclusion that the conditions necessary for the conduct of free scholarship and inquiry depend upon the will of the great majority to follow orderly procedures rather than on the threat of punishment. It urges all members of the University community to do all in their power to encourage free exchange of ideas and to discourage any and all attempts to stifle debate or argument. In the moral pressures of the community are to be found the effective and long-term sanctions which will help to maintain the high values and consistent record which heretofore have been maintained. The community and its various component parts must be alert to exercise the various opportunities of persuasion appropriate to instill appreciation of these values.

REPORT OF THE UNIVERSITY OF MINNESOTA COMMISSION ON CAMPUS DEMONSTRATIONS

INTRODUCTION

Following several demonstrations on the University of Minnesota's Twin Cities Campus in the fall of 1967, President Malcolm Moos appointed a commission of twenty-three faculty, students and an alumnus to study the problems arising from demonstrations and to recommend policies by which the University of Minnesota can deal with such problems.

It is the purpose of this Commission to formulate guidelines by which the University of Minnesota and its officers can distinguish as expressions of dissent between peaceful and legitimate demonstrations and violent, disruptive demonstrations which prevent the University from fulfilling its missions.[1]

Demonstrations as forms of expression of dissent

It is important to note that no man can force another to assent to that which he considers false. Assent, meaning full agreement with, or belief in a doctrine can never be coerced. What an authority can attempt to do by coercion is to control the expressions of dissent by establishing punishments so severe that few if any men would choose to express their disagreement.

Because of its purpose, nature, and functions it would be self-defeating for a university to attempt to prohibit or even to discourage dissent. The demonstration as an orderly expression of dissent should be permitted and encouraged on a university campus.

It follows, so far as individual behavior is concerned, that conduct that would not be censurable or punishable when unrelated to a demonstration that supports serious conviction should be at least equally immune when it does have such relationship. We believe the converse should also apply and that acts which are in themselves censurable or punishable should be equally so when they are committed in the course of a demonstration expressing dissent.

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[1] The Commission considers that the basic principles of this report are applicable to all campuses and expects that the Twin Cities, Morris, Duluth and Crookston campuses will develop procedures consistent with these principles. It is understood that different procedures may be called for on different campuses.

Demonstrations, as forms of expression of conviction, should carry no special privileges that negate common standards nor should they be subject to any special burdens.

Rationale

One of the most important functions a university can serve is providing a forum for the free exchange and criticism of ideas. For the welfare of society, it is essential that the university strike a balance between merely transmitting the cultural heritage and stimulating a healthy social criticism and continuing reform of the institutions of society. The university, therefore, must provide a forum for the exchange of ideas and debate on the issues which divide the citizens of the society. The free flow of information and opinion is absolutely essential. Thus, the rights and opportunities to listen, to read, to observe, and to criticize are particularly important, and must be preserved. Each and every idea must be tested, as scientifically and dispassionately as possible, through exchange and debate as well as through investigation and study. Ideas must prevail by reason of their merit and persuasive presentation and not through the coercive acts of their proponents. For this reason, conduct within the university which limits or interferes with such exchange, or which relies on coercion rather than persuasion, is peculiarly out of place.

The missions of the university cannot be carried on if dissent is prohibited or discouraged. Frequently, some individuals or groups in a society attempt to suppress the kind of debate and discussion which is peculiar to and essential in a university. The members of this Commission believe that if free inquiry is to thrive certain conditions of order must be maintained. Members of the academic community should be free to organize, discuss, pass resolutions, distribute leaflets, circulate petitions, picket, and take other lawful action respecting any matter of interest or concern to them. At the same time, they should recognize that they live their academic lives under a government of law, implemented by joint action of students, faculty and administration. Students, in the fullest sense of the term, should be in the forefront of those who sustain the university as a forum for free discussion and dissent, and facilitate its mission to analyze, study and probe without hindrance. They should, indeed must, recognize that they have an obligation to preserve the university's free and unhampered search for truth, whatever their own present state of certainty or uncertainty.

This necessity for order has been recognized by the National Student Association of the United States which stated in its 1960-61 Codification of Policy:

> "The functioning of the educational community requires an awareness of mutual responsibility, understanding, trust, and respect in order that all its members actively contribute to the development of policies and program; this purpose can best be achieved only through the continuous cooperation within the educational community . . ."

That opinion is one of the foundations of this Commission's report.

Demonstrations as potentially coercive activities

In its study of demonstrations on several university campuses, this Commission noted situations in which some demonstrators have been tempted to act on the assumption that a sufficiently compelling end can justify any means intended to achieve it. For a large number of people the dialogue between youth and adults has broken down in what some regard as a society gone mad. Viewing dialogue as a hopeless means of solving any important problem, those who hold such opinions demand a radical, clean sweep of corrupt American institutions and their replacement by others formed on "democratic and compassionate lines."

A more moderate group believes that indeed our American society needs reform, but that the needed improvements can be made from within society's present structures.

It would be evasion if the Commission failed to note that demonstrations, some of them with extremely disruptive consequences, have occurred throughout the nation. Some of them have occurred in the course of protest against the war in Vietnam and others in the context of a drive for student power. Their rationale has frequently been related to the demand for far reaching social reform. Stephen Saltonstall, in the conference on "Students and Society" at the Center for the Study of Democratic Institutions expressed the view that neither a complete revolution nor dialogue will do that job; what is needed is something between revolution and dialogue. ". . . That medium is disruption. Disruption is the one thing our society can't abide. Our institutions are all interrelated, and if one institution is sabotaged, the society can't function

properly as a whole. The institution students are connected with is the university . . ."[2]

For the very few students who take this position it is to be expected that they would believe that extreme means are justified in their struggle against the "liberal" enemy, and that they would plan ways to "shut down the universities of America."

Demonstrations which *disrupt the functioning* of a university must be seen as what they are: acts that endanger the existence of the university, one institution that provides hope for the use of rational means to solve the problems of men living in a society.

The University of Minnesota experience

The record of the University of Minnesota community has been an enviable one in terms of tolerance of and respect for the rights of others in matters of freedom of speech and expression. The statement of the Board of Regents on Academic Freedom and the University speakers' policy illustrate the strength of existing conditions.[3] This record has not been tarnished or undermined by recent experience with demonstrations. In almost all cases, both participants and audience have behaved with respect and restraint consistent with the use of demonstrations as an exercise of their freedom of expression.

It is only in two or three recent instances that we find some danger of the abuse of the freedom to demonstrate, and in each case the harm resulted from the failure of some individuals to recognize and accord the same freedoms to others which they would assert for themselves through the demonstration.

Several of those who spoke in hearings before the Commission asserted the propriety of interfering with the freedom of others in order to give prominence to their own position or arguments. The proposition was defended that a demonstrating group may enter an office without permission, pick up and carry out the furniture and place it in the hallway. No harm was done, it was stated, by such action because it was intended as "symbolic," as an expression of dissent and not as an interference with the property of others. Such interference with and disruption of the office and affairs of others was rationalized by reason of the importance of the cause underlying the demonstration. In similiar vein, an attempt was made to justify the practice of completely obstructing the

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[2] Daniel Sission, "The Dialogue: Youth and Society," *Students and Society — Report on a Conference*. Center for the Study of Democratic Institutions, December 1967 p. 43.

[3] See Appendices A and B.

entrance to an office so as to frustrate a program of interviews. This interference with the rights and interests of others was defended on the ground of the relative strength and importance of the principle being asserted by the demonstrators. The Commission does not acknowledge that a few can be justified in arrogating to themselves, the right to dictate to others through "symbolic" or other acts. We are fortunate that such incidents have been few, not serious, and short-lived.

What are the interests of the University community which should be protected against unreasonable interference or disruption?

All are agreed that one of the University's basic functions is teaching. The activities of an individual or group of individuals cannot be allowed, in the name of free speech, to disrupt or interfere with the orderly process of the teaching program. Suppose that individuals enter a classroom without permission and, while class is going on, proceed to distribute leaflets among the class. No one condones such disruption of the classroom teaching function. The only difficulty lies in defining what, in this context, constitutes "disruption." Clearly individual or organized activities which, by virtue of their geographic location, either conflict with the teaching process or, by reason of a combination of proximity and noise, produce the same disruptive result, must be proscribed by the University.[4]

What is true of the classroom and the teaching function is also true of the administrative function in the University. Individual or group conduct which "disrupts" the routine of the office of an administrator is a serious violation of the same basic principle. Both teaching and administration are entitled to proper protection against unreasonable disruption and interference. What is unreasonable disruption or interference will necessarily depend on the circumstances of the particular case.

What is said of the classroom and the office of administrators is applicable to other University facilities. For instance, blocking a passageway with such numbers as to prevent regular traffic violates the same principle. Whether there is individual or group responsi-

[4] Resolution adopted at the Council Meeting, American Association of University Professors, October 29, 1967. Affirmed that: ". . . In view of some recent events, the Council deems it important to state its conviction that action by individuals or groups to prevent speakers invited to the campus from speaking, to disrupt the operations of the institutions in the course of demonstrations, or to obstruct and restrain other members of the academic community and campus visitors by physical force is destructive of the pursuit of learning and of a free society. All components of the academic community are under a strong obligation to protect its processes from these tactics." See also Appendix C.

bility or no responsibility for such actions is not so much a problem of formulation of policy as it is a problem of fair determination of facts and clarification respecting persons and actions involved.

Although we are here concerned with disruption of activities, it is to be clearly understood that persons causing deliberate and wanton damage to property will be held accountable.

Beyond the University buildings, what shall be said of the University premises generally? Can demonstrations or protests, as the present Twin Cities campus rally policy[5] states, be reasonably confined to unions or any other specific locale? We think not. And the existing policy which has wisely been left in abeyance by the Dean of Students Office, should be formally revoked. What is required rather is that each student accept responsibility for his own conduct, recognizing that such conduct even outside classrooms, halls and administrative offices can have a disruptive effect on the regular and proper functions of the University. Thus, the improvident use of bull horns to address a demonstration outside the open windows of a classroom is no less a disruption of that class than the deliberate intervention within the four walls for the same purpose.

We aspire to be a community of scholars, within which each member is presumed to be capable of determining for himself, objectively, whether or not his personal conduct is inconsistent with the rights of others. Those who fail to make the judgment properly will be held accountable. Rather than spell out in detail a code of do's and don't's, it seems prudent to rest ultimate responsibility on each student as an individual. He must be aware that if his conduct is found to have unreasonably disrupted the activities of the University or infringed upon the rights of other students, faculty members or other users of the University, he may be called before an appropriate hearing authority. Failure to meet this standard will result in appropriate sanctions.

The Commission considers that the existing requirement of securing advance permission to demonstrate should be abandoned. Such a system of licensing does little to secure individual behavior in compliance with University standards, savors of prior restraint, and raises numerous problems of definition as to what constitutes a demonstration and issues of responsibility as, for example, when a person beyond the original planners decides to join in and help, or heckle and hinder.

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[5] See Appendix D.

This recommendation is not intended to affect existing practices with respect to assignment of room space and other facilities within University buildings.

Because we believe that genuine goodwill and a spirit of cooperation exist within the University, we urge any group planning a demonstration to file notice of intent, estimating numbers and describing proposed location. This proposal is not made in the spirit of censorship or with intent to establish a requirement of prior approval of such demonstration. It is based, rather, on the commonsense proposition that where groups gather for purposes of demonstrating, history suggests that opponents may also gather. Voluntary compliance with such a notice system will not only facilitate the orderly disposition of police, if required, and minimize the risk of emergency police action, but will also serve to protect orderly demonstrators from unfair harassment which constitutes just as serious a violation of free speech and open community policy as do some of the violations already considered.

We would also expect that upon adequate advance notification the personnel of the Student Activities Bureau would provide advice in planning of demonstrations so as to minimize the likelihood of disorder and confusion.

Withdrawal of permission

In most instances, each individual student will be capable of and responsible for making a decision as to what constitutes "disruptive" conduct. Obvious cases include deliberate disruption of a class or deliberate disruption of the operations of an office, administrative or teaching. Where disruption consists of blocking a passageway, or so overcrowding other facilities of the University as to seriously interfere with their normal and proper use, somewhat more difficult issues may arise. In the latter case, individual responsibility may be clarified where it is established that students blocking the passage or overcrowding the facilities were asked to disperse, or end the overcrowding and, after such notice and request, refused to move. We hope that University personnel involved will recognize the gravity of ordering such a dispersal, and exercise appropriate restraint. Those responsible for judging individual conduct will be expected, in such cases, to consider the reasonableness of the request made in all the circumstances, as well as the authority of the person requesting dispersal. No precise limitations can be set around the question: who, within the University community, has authority to make such a request. Common sense will normally indicate the location of such authority. The immediate occupant of

an office, for instance, who occupies the office by direction of the dean or head of his department, has such authority with respect to that office. Such authority may be delegated. At the same time, the dean or head of department clearly retains authority to make such a request with respect to any and all facilities within his charge and can delegate that authority.

Right to eject trespassers

Failure of a person on University property to follow a reasonably founded request to leave University facilities, expressed by one duly authorized to make it, makes him a trespasser. While it is to be hoped that such a remedy will rarely if ever be called for, trespassers may be identified, arrested and removed from University premises. The appropriate authority to effect removal in the case of willful trespass is the University police.

Involvement of members of the public in campus demonstrations

The University, as a community dedicated to learning and the exchange of ideas, is open to the public as well as to registered students. Members of the public, however, owe a serious duty, when on campus, to observe the reasonable rules and regulations of the University designed to permit the orderly discharge of University functions. Those who are not students cannot be subjected to the same hearing procedures as are students. The University may decide to exercise its authority as property owner and as holder of delegated legislative authority, to eject members of the public who seriously abuse their privilege of coming upon the campus. The appropriate sanction in such cases will be removal from the campus by the University police, and if necessary, prosecutions in the courts for trespass violations.

Application of policy to members of the University community other than students

Since the proposed policy on demonstrations and its protections are based on the recognition and protection of the basic University purposes and services, it should follow that the policy is applicable not only to students but also to other members of the academic community — teachers, administrators, and civil service employees. All alike share the protections, responsibilities, and freedoms of this policy. The faculty are held accountable under the standards and requirements of the tenure code (which has a limited application

to non-tenure as well as to tenure personnel), while civil service personnel are subject to their own procedures.

The importance of providing fair hearing procedures to determine violations of this policy

The Commission states its belief that the effectiveness of a demonstrations policy will in the long run depend upon the procedures by which it is applied and implemented rather than on the abstract words of the policy standards.[6] Those procedures must meet with generosity and not merely adequacy the constitutional requirements of due process. To this end the process of investigation and complaint must be divorced, insofar as is possible, from the process of hearing and adjudication. These procedures should be applied in all cases within the University community where violations of this policy are alleged.

The Commission recommends that existing procedures be reviewed for conformity with the foregoing standard; however, it believes that it is not its responsibility to conduct such a review.

Conduct Control Policy — group responsibility

University supervision and control over student behavior is channeled, at the present time, through two policies. One is the policy applicable to individual student misconduct.[7] The other is the policy of organizational responsibility.[8] Student groups on University campuses must be approved or registered with appropriate student personnel agencies before they may undertake a variety of activities. Such approval is required as a precondition of solicitation of new members, as well as a precondition of permission to borrow or use University equipment or buildings and facilities. Where a recognized student group organizes a demonstration on its campus which is intended to violate the demonstrations policy and in fact does so, action may be taken not only against the individual students responsible under the student misconduct policy but also against the recognized group. The sanction in this latter case is withdrawal of recognition and consequent loss of diverse privileges. It must be made clear that, in case of violations of the demonstrations policy, group responsibility (as distinct from indi-

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[6] Some members of the Commission believe that existing procedures are inadequate and should be reviewed.

[7] See Appendix E.

[8] See Appendix F.

vidual responsibility) can only be predicated upon either: a) deliberate preparation and conduct of a demonstration by the officers and members responsible, acting in the capacity as officers or members of the group, in such a manner as to violate the University policy; or deliberately conducting a demonstration under the same circumstances; or b) culpable failure on the part of the officers or members of the group, acting as officers or members, to take steps reasonably available to them in the circumstances which could have avoided or substantially mitigated the violation of the University demonstrations policy.

The present Conduct Control Policy provides a wider responsibility for recognized organizations. To the extent that it is inconsistent with these recommendations, it should be revised.

Departmental or college authority with respect to demonstrations

Present University policy on student discipline leaves a certain measure of autonomy with departments and colleges over certain kinds of student misbehavior, namely academic dishonesty. The question is raised whether and to what extent individual departments and colleges have a separate and distinct authority apart from the all-University authority, over violations of the demonstrations policy. Existing policy as to student misconduct vests all authority for non-academic violations in the office of the Dean of Students on the Twin Cities campus and designated officers on other campuses.[9] The problem here seems to be one of all-University concern in which a unified policy should be applied uniformly to all students subject thereto. For this reason, the all-University policy should specifically preempt departmental or divisional policies on demonstrations.

Off-campus activity

Two hypothetical situations will illustrate the difficulties of determining whether and to what extent the University policy on demonstrations should apply to off-campus activities. First, suppose that a University student participates in a demonstration at the entrance of the Federal building in Morris and in the course of so doing commits an assault. The demonstration is addressed to the draft laws and their administration. Secondly, suppose that a University student participates in a demonstration outside the Provost's

[9] Minutes, Board of Regents, March 13, 1959, pp. 699-700.

house for the purpose of protesting the University's policy on employer interviews on campus. In the course of this demonstration, the student hits the Provost with a sign.

As to both situations it can be said that the student's conduct constitutes, if proven, a violation of the civil law for which appropriate civil sanctions and processes exist. One situation differs from the other, however, in that the University has no direct interest in the subject of the first demonstration whereas it has a direct stake in the second.

The University is entitled to adopt reasonable regulations related to the conduct of its proper affairs. Certain types of demonstration and certain types of misconduct occurring in the course of such demonstrations seem to fall within the scope of a special University interest entitled to be protected through the University's own rules and institutions. On the other hand, other types of demonstrations having no special or direct effect upon the University and the orderly conduct of its affairs, are not a matter of special concern to the University and violations or acts of misconduct appertenant thereto are no more the special concern of the University than any other criminal offenses or actions subjecting the doer to a civil penalty or damages.

University policy on demonstrations should not apply to student conduct off campus unless by reason of the nature, purpose and organization of the demonstration, and the student participation therein, it has a direct and immediate impact on the orderly administration of the University's activities and constitutes a "disruption," even though occurring off campus, of those orderly processes.[10] The burden of proving such a direct and immediate impact must be a substantial one.

To the extent that this constitutes a departure from existing University policies governing student behavior off campus, existing policy should be reconsidered.

The Conduct Control Policy poses additional problems with respect to off-campus activities. The Commission understands that, under present rules this policy regulates the conduct of recognized

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[10] See for instance, the "Statement on the Academic Freedom of Students," American Association of University Professors, October 15, 1965. It reads as follows: ". . . Activities of students may upon occasion result in violation of the law. In such cases, institutional officials should apprise students of their legal rights and may offer other assistance. Students who violate the law may incur penalties prescribed by civil authorities but institutional authority should never be used merely to duplicate the function of general laws. Only where the institution's interests as an academic community are distinct from those of the general community should the special authority of the institution be asserted. The student who incidentally violates institutional regulations in the course of his off-campus activity such as those relating to class attendance, should be subject to no greater penalty than would normally be imposed. Institutional action should be independent of community pressure."

student groups' behavior off campus as well as on. Suppose that a group of University students, constituting the membership of a recognized university student organization, demonstrates outside a Federal building in such fashion as to disrupt the operations of that building and cause serious inconvenience to persons attempting to enter and leave that building. Let us suppose that the purpose of the demonstration is not one of those so closely identified with the University's special interest as to be, of its nature, properly within the University's sphere of regulation. Does the fact that the organization sponsoring and organizing the demonstration is a University *student* organization, which publicly identifies itself as such, establish a direct relationship to University programs and policies that the Conduct Control Policy should apply even though the individual actions and responsibilities of the participants are, in and of themselves, not so related? In short, does the University have a need to regulate and control the activities of student organizations acting off campus precisely because they act and operate as student organizations and therefore, in a limited sense, involve the name of the University? The answer to this question appears to be "yes." The University has a legitimate interest in regulating and controlling in so far as it can, the use of the University's name. Where the group off campus makes use, as a material part of its plan, of the University name or gives prominence to the fact that the group is "recognized" as a University organization or that it is such a University organization, the special University community concern is activated and grounds are established for reasonable regulation of the representation involved. The sanction of withdrawal of recognition by the University appears to be the appropriate remedy with such consequential loss of privileges on campus for that group as may reasonably be decided upon.

Conclusion

Much of the content of the immediately preceding pages of this report is dependent on the existence of procedures for the enforcement of University policy on demonstrations by punitive sanctions when all other means have failed. We believe it is important that such procedures be understood and available. We hope there will never be a need to invoke them, and as we view the history of the University of Minnesota we do not expect that there will be.

The Commission emphasizes in conclusion that the conditions necessary for the conduct of free scholarship and inquiry depend upon the will of the great majority to follow orderly procedures rather than on the threat of punishment. It urges all members of

the University community to do all in their power to encourage free exchange of ideas and to discourage any and all attempts to stifle debate or argument. In the moral pressures of the community are to be found the effective and long-term sanctions which will help to maintain the high values and consistent record which heretofore have been maintained. The community and its various component parts must be alert to exercise the various opportunities of persuasion appropriate to instill appreciation of these values.

APPENDICES

APPENDIX A

FREEDOM AND THE UNIVERSITY

A Statement by the Regents of the
University of Minnesota

December 14, 1963

We, as members of the Board of Regents of the University of Minnesota, are responsible to the public for the health and vitality of the University. It is our responsibility to inquire continuously into the conduct of the University to ensure the preservation of this health and vitality.

The University community is a city of more than fifty thousand people. They come from every part of the country. Of the undergraduates, 94 per cent come from somewhere in Minnesota. They represent a cross section of our population, differing from a random cross section only in that they are especially selected for intellectual interests and intellectual competence. We assume that almost every type of political conviction is to be found among them, just as one would expect to find the complete variety of political, social, economic, and religious beliefs in any city of fifty thousand adults.

The University, the city, and the state do have facilities to ensure order in such a community. For varying problems of public safety we have provided ourselves with a University security staff, a city police, and the Federal Bureau of Investigation. We have confidence in the effectiveness of these law enforcement agents, and we cooperate with them. We believe the American community is fundamentally law abiding, that it abhors both resort to violence in the affairs of men and the use of extra-legal methods in the examination of alleged violations of law.

In all cases of crime or violation, the American philosophy and tradition require that we assume the citizen innocent until proved guilty. We believe it proper that the University leave the law enforcement role in American society to established law enforcement agencies. The University's tasks are learning, research, constructive criticism, and intellectual inquiry. In fulfillment of its role, the Uni-

versity makes its contribution to public order by nourishing devotion to the rule of reason in the conduct of human affairs.

It cannot be stated too strongly that the only atmosphere in which a university can fulfill its assigned role is the atmosphere of freedom. Nor is it surprising that in America, where free discussion is the first principle of our political faith, universities have flourished best and have made at the same time the most remarkable contribution to the public good. Those universities contributing most have been those which are most free. From the first days of our independence the giants of American history have revered the principle of free speech; they have had enough faith in our form of government to state affirmatively that if truth and error were allowed to contest in free debate, truth would triumph. They have also recognized that any effort to close a free discussion by force is destructive of the dictator and of those dictated to. The first is poisoned by power; the second is denied a share in the public dialogue. The man denied participation in free discussion loses, at the very least, his participating right as a citizen, but he may also be robbed of the dignity and self-respect which freedom encourages.

The inherent validity of free competition among ideas is as apparent in the economic community as in the educational community. No one who has observed the development of the American economy can deny the efficiency of freedom. But perhaps an example of the creativity of freedom in the economic marketplace will serve to clarify the importance of freedom to the marketplace of ideas. As recently as forty years ago, the typical market was a corner grocery store. Whether found in the country or city, it was heated by a potbellied stove, its aisles were crowded, its shelves crammed. Its proprietor helped each customer through the wilderness of items one by one. Gradually, in a kind of merchandising conversation, the entire enterprise was changed. One merchant, to increase the attraction of his business, widened the aisles; he was answered by a competitor who lowered shelves to put all items within easy reach; he in turn was answered by another who encouraged self-service. Step by step the modern supermarket was born. But no one firm jumped directly from the narrow, crowded, confused grocery store of 1920 to the specially-designed supermarket of today. A merchant's conversation was required in which free men challenged and answered each other in a free and competitive atmosphere.

The market place of ideas is comparable, but it is even more dependent upon a completely free conversation. The student and

the professor must live in an atmosphere where questioning is encouraged, where every alternative can be explored, where their free minds may be allowed to test the validity of each idea, and where they feel free to follow wherever truth may lead. Such a free atmosphere is not merely necessary to university freedom; it is also the way of life which we have a right to associate with America. To ask that the right of the University to this freedom be respected is not to ask for special privilege, but rather to ask for the opportunity to demonstrate the efficiency of the freedom in which we all believe and for which so many brave Americans have died. The most American activity of them all is to think, to speak, and to inquire freely. The un-American activity is to deny such freedom.

A university must cherish freedom or be untrue to its own nature. It mush cherish equally responsibility, the natural corollary of freedom. In this connection, the Regents endorse the following statement adopted by the Association of American Universities in 1953 and reprinted in 1962:

"Historically the word 'university' is a guarantee of standards. It implies endorsement not of its members' views but of their capability and integrity. Every scholar has an obligation to maintain this reputation. By ill-advised, though not illegal, public acts or utterances he may do serious harm to his profession, his university, to education, and to the general welfare. He bears a heavy responsibility to weigh the validity of his opinions and the manner in which they are expressed. His effectiveness, both as scholar and teacher, is not reduced but enhanced if he has the humility and the wisdom to recognize the fallibility of his own judgment. He should remember that he is as much a layman as anyone else in all fields except those in which he has special competence. Others, both within and without the university, are as free to criticize his opinions as he is free to express them."*

University teachers, as teachers, are judged for scholarly competence by their peers from the moment they aspire to membership on a faculty. The demands of such judgment are heavy, for the academic profession insists that its members be both skillful and devoted in their search for truth. The profession grants status and tenure to its members in proportion to their publicly demonstrated competence within a given academic discipline. And just as the medical profession must assume responsibility for establishing the standards of competence which admit members to the practice of medicine, so must the academic profession assume responsi-

* The Rights and Responsibilities of Universities and Their Faculties.

bility for establishing the standards of competence which qualify its members for the practice of teaching.

Just as the atmosphere of freedom within a university is the best guarantee of productive and responsible instruction, so also is it the best guarantee that students will grow toward responsible citizenship. A free society calls for citizens well-schooled in the wisdom traditional to that society. It also calls for citizens accustomed to grappling with new ideas, to participating in the give-and-take of public discussion, and to assuming public responsibility for their own thinking. Students properly assert their right to learn the responsibilities of choice and decision which they must bear as citizens, and the free university properly provides the most appropriate setting for such learning.

We cannot emphasize too strongly the importance of a free university to the development of citizens able to carry responsibility in a free society. The dangers of fanatic, angry, and irrational behavior were brought home to every American with the assassination of President Kennedy. It is time for Americans to draw closer together in dedication to our national goals. These include continued freedom, concern for the rights of others, political and spiritual tolerance, equality of opportunity, equality before the law and protection from the law's delays, and access to the blessings of justice and public order. These goals will not be won through angry and emotional outbursts that divide our people.

They can be won by systematic, rational, and thoughtful analysis of the obstacles to our national purposes. The university is of paramount importance to our nation because it seeks to bring the methods of reason to bear upon our problems — to find better means to public peace, as well as more effective ways to deter threats of violence which may be directed toward our nation. To do its rational work wisely, a university by its very nature requires freedom to inquire.

The people of Minnesota have been wise in their support of education. Their agricultural and industrial economy, as well as their public peace and safety, are the better because of this wisdom. The University, operating in an atmosphere of freedom, has made great contributions to the healthy, stable society of which we are all now so proud. We as Regents are satisfied that, to a very high degree, the faculty of the University and its administration understand the mission of the University and are using their freedom responsibly. We are satisfied that the existing agencies for enforcement of law and for protection of national peace and safety are alert and adequate to their tasks. We are also sure that the

University officials are prepared to, and do, cooperate with them in assuring national safety. We are impressed by the great responsibilities related to national safety and prosperity that are continuously entrusted to University personnel, and we wish to take this opportunity to reaffirm our faith in the University and in the efficiency of freedom.

APPENDIX B

SPEAKERS

Policy on Speakers Brought to the Campus by Student Organizations

Senate Committee on Student Affairs, February 10, 1956
Approved, University Senate, March 2, 1956

Amended, Senate Committee on Student Affairs, May 10, 1963
Approved, University Senate, June 6, 1963

Amended, Senate Committee on Student Affairs, October 16, 1964
Approved, University Senate, November 5, 1964

The Senate Committee on Student Affairs maintains that an essential part of the education of each student is the availability of diverse viewpoints expressed by speakers engaged by student organizations. To limit opportunities to hear various viewpoints would be inconsistent with the educational responsibility of the University. A necessary complement to the classroom is the opportunity to review and discuss opinions of speakers representing varying attitudes concerning human affairs.

The Committee believes that all departments of the University, including the Senate Committee on Student Affairs, should seek to encourage and assist student organizations in furthering opportunities to hear the widest range of viewpoints held and advocated regarding issues that divide our society.

Consistent with the 1946 Basic Policy Concerning Student Organizations and Their Activities, the following policy shall be adopted:

1. Recognizing that the responsibilty for administering policies, regulations, and for general supervision over student activities has been assigned by the central administration to the Office of the Dean of Students, student organizations, in planning an event involving an off-campus speaker, shall consult with and inform the Student Activities Bureau of the name and qualifications of the speaker, the subject of his remarks, and the time, date, place, and

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Barbara J. Ostrander and Donald R. Zander, eds., "Speakers," *Policy Manual for Student Organizations*. Student Activities Bureau, Office of the Dean of Students, University of Minnesota, 1965, pp. 26-27.

nature of the meeting. In each case request for approval should be made a minimum of three working days prior to the event. It should be noted that the appeal procedure outlined below could take an estimated period of eight working days. Decisions modifying the program should not substantially affect the opportunity of the speaker to present his remarks on the requested subject.

2. Approval should be withheld from a speaker only if it can be clearly judged his presentation would serve no educational purpose or if the presentation would violate the laws of the State of Minnesota or of the United States.

3. In the event of a decision adverse to the request of the organization for approval of the program planned, submitted in accord with #1 above, the Dean of Students shall promptly inform the Senate Committee on Student Affairs which will meet as quickly as possible in a public hearing to uphold or reverse the decision, which action shall be communicated by the Senate Committee on Student Affairs to the Faculty Senate and the President. This action may be appealed, by either the Dean of Students or the sponsoring organization to the Faculty Senate, in accordance with established appeal procedure.

4. The Office of the Dean of Students will report annually to the Senate Committee on Student Affairs concerning the implementation of this policy, including a summary of off-campus speaker activity with a description of the procedures used and the problems encountered in administering this policy. Upon request the Senate Committee on Student Affairs may serve as a consultative body for the Dean of Students on any problem involved in the application of the policy at any time during the year.

APPENDIX C

Resolution Adopted at the Council Meeting of the American Association of University Professors

October 29, 1967

The American Association of University Professors and the academic community have long stressed the fundamental principle set forth in the 1940 *Statement of Principles on Academic Freedom and Tenure* that "The common good depends upon the free search for truth and its free exposition." Universities and colleges are dependent for their very life on the maintenance of this principle within their walls. The Council of the American Association of University Professors has again asserted this principle at its meeting of October 28, 1967.

The Council also approved the *Joint Statement on Rights and Freedoms of Students*, which affirms that "Free inquiry and free expression are indispensable to the attainment of the goals" of academic institutions. The *Joint Statement* emphasizes that "the responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community" and develops other implications of these principles. The *Statement* notes that students should "be free to support causes by any orderly means which do not disrupt the regular and essential operation of the institution."

In view of some recent events, the Council deems it important to state its conviction that action by individuals or groups to prevent speakers invited to the campus from speaking, to disrupt the operations of the institutions in the course of demonstrations, or to obstruct and restrain other members of the academic community and campus visitors by physical force is destructive of the pursuit of learning and of a free society. All components of the academic community are under a strong obligation to protect its processes from these tactics.

American Association of University Professors, Washington, D.C.

APPENDIX D

OUTDOOR RALLIES

Senate Committee on Student Affairs

December 8, 1941

Outside rallies will be permitted only to recognized student organizations; such rallies may be held on the campus only in the space in front of the Union. Approval must be obtained from the proper authority in the Dean of Students Office. Only the regular advertising media may be used to call attention of the student body to such meetings. No loud speaker may be used in advance of the meeting for advertising purposes. No loud speakers may be used in front of the Union to advertise other student activities or to increase the sale of tickets for such activities. Written approval on outside rallies shall be sent to the Department of Buildings and Grounds, the Minnesota Union, and the Department of Visual Education by the Dean of Students. A representative from the Visual Education Department must be in control of the apparatus to supervise its use.

Rallies should be approved only for issues of vital interest to a relatively large number of students. With the exception of special cases, not more than four or five outdoor rallies with public address systems will be held during the school year. Limitation in number of meetings is not intended to extend to indoor rallies or to outdoor rallies which do not involve public address systems.

Each major rally shall be carefully checked to be sure that the number of such meetings shall not interfere seriously with the regular activities conducted in the Union, and with the flow of traffic in and out of the building.

Requests for such large outdoor rallies should be made one week in advance, except in unusual circumstances. This seems necessary because of the rather involved arrangements and the clearances which must be made before such rallies are held.

Proper program arrangements must be completed before approval will be given. The purpose of this policy is to avoid undue

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Barbara J. Ostrander and Donald R. Zander, eds., "Outdoor Rallies," *Policy Manual for Student Organizations*, Student Activities Bureau, Office of the Dean of Students, University of Minnesota, 1965, pp. 24-25.

haste in arranging for a rally and the possibility that last minute makeshifts will be necessary.

In case of violation of these regulations, such as the holding of unauthorized outdoor rallies, enforcement of the regulations will be the responsibility of the Dean of Students, with the cooperation of the Department of Buildings and Grounds. Students or organizations violating the regulations will bear direct responsibility for such violations. Disposition of discipline cases arising from outside rallies will be made by the Dean of Students.

APPENDIX E

STUDENT CONDUCT

The University of Minnesota expects that each student will obey the laws enacted by federal, state, and local governments. In addition, there are certain rules and regulations governing student conduct which have been established by the Regents, administrative officials, University Senate, college and department faculties, and residence hall groups.

It is each student's responsibility to be alert to avoid the types of misconduct mentioned here and any other misconduct harmful to the University, its staff and students.

Courtesy to your instructors and University staff members, to other students, and to the public is expected of each of us and a failure to show this type of responsibility is unacceptable.

Each student is expected to be honest in his work. Dishonesty in assignments, examinations, or other academic work is considered an extremely serious offense by the faculty and students.

University policy specifies that the property of the University as well as that of individuals should be respected. Theft of any kind, whether of money or other property, is unacceptable. The destruction or mutilation of books, magazines, or other library material in University libraries is another type of conduct which is not condoned. Equally so is unauthorized use of, damage to, or destruction of University buildings, equipment, and property.

Drinking on campus or in the residences is another type of behavior not approved by the University. Drunkenness or any type of behavior which is disturbing or disorderly reflects on the University and therefore is contrary to the best interests of the University and other students.

Misuse of University identification to obtain privileges to which you or to which others are not entitled under existing regulations is a University offense.

Indecent and immoral conduct discredits both the offending individuals and the University and is contrary to the best interests of the University community.

The residence of your choice will have special additional rules. Most rules for student residence halls exist simply to provide for

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Orientation Office, Office of the Dean of Students. *The Moccasin, Handbook for New Students.* University of Minnesota Bulletin, Vol. LXX, No. 14, July 15, 1967, pp. 80-81.

better living, as for example, established study hours, use of facilities, and the manner in which bills are handled. The University also has certain standards established concerning entertainment, hours, and room visitation. You should acquaint yourself with the rules of your residence unit upon your arrival.

The All-University Committee on Student Behavior and the Office of the Dean of Students are granted authority by the Regents to take necessary action in any case in which the behavior of the student reflects unfavorably on the University or is unacceptable behavior to the University community. Judiciaries are organized in the residences to hear and take appropriate actions on most incidents of student misconduct by residents in the halls. The All-University Judiciary Council adjudicates violations of regulations by student groups. The membership of both All-University committees includes students as well as staff.

APPENDIX F

POLICY ON THE RESPONSIBILITY OF STUDENT ORGANIZATIONS FOR THE CONDUCT OF MEMBERS

(Conduct Control Policy)

Senate Committee on Student Affairs, May 21, 1954

Acting in the belief that the governing of student affairs should at all times be as close to the governed as possible, each student organization shall be responsible for the individual and collective conduct of its members in all of its group sponsored activities and functions.

This responsibility shall be exercised on behalf of the organization by the appropriate elected officers of each group under the following conditions:

1. In all group sponsored activities and functions the best interests of the University as well as the interests of the organization shall be a basic consideration in planning and conducting programs.

2. Each student organization, or the appropriate governing council, shall have the right and responsibility for initiating policies governing conduct. Such policies shall be developed and reviewed through joint consultation between the officers of the organization and the Student Activities Bureau with the usual right of appeal to the Senate Committee on Student Affairs in instances of disagreement.

3. Each student organization shall be responsible for securing and maintaining compliance of its members with the aims and purposes of this policy and with the rules established by the group for the governing of conduct, except that an organization will not be held responsible for the conduct of individual members at other than group sponsored activities.

Barbara J. Ostrander and Donald R. Zander, eds., "Policy on the Responsibility of Student Organizations for the Conduct of Members (Conduct Control Policy)," *Policy Manual for Student Organizations*. Student Activities Bureau, Office of the Dean of Students, University of Minnesota, 1965, p. 40.

APPENDIX G

PRIVILEGES AND RESPONSIBILITIES OF CAMPUS ORGANIZATIONS

As Approved by Student Affairs Committee
University of Minnesota, Morris

December 8, 1965

The Student Affairs Committee and its Sub-Committee on Organizations recognize the need for different types of constitutional guides for different types of organizations and define three categories of organization to accommodate the organizational differences among campus organizations. These categories shall be called Class One, Class Two and Class Three organizations.

Class One

A Class One organization shall be required to submit its formal constitution and by-laws or, in lieu of a formal constitution, must submit as a minimum, the following information to the S.A.C.

A. The purpose of the organization.

B. A statement regarding how recognition of the applicant organization will be advantageous to the University and to the members of the organization.

C. A statement regarding membership requirements, including financial requirements.

D. A list of officers and their duties.

E. The name of a faculty or staff advisor and any other advisor.

F. The number of members of the applicant organization.

The privileges of a Class One organization shall include:

A. The use of University facilities.

B. The right to advertise itself.

C. The right to raise money.

D. The right to sponsor speakers.

Class Two

A Class Two status will be given to newly founded organizations who aspire to the status of a Class One organization but would find it detrimental to submit to the stringent requirements of a Class One organization. A Class Two organization must submit what information it has, including a minimum of the following requirements, to the S.A.C.

A. The purpose of the organization.

B. Membership requirements, including financial requirements.

C. A list of officers.

D. The name of a faculty or staff advisor and any other advisor.

E. The number of members.

The privileges of a Class Two organization shall be the same as Class One organization. Once a quarter, each organization in Class Two shall submit to the Student Affairs Committee a report on their progress toward Class One status.

Class Three

A Class Three status shall be given to loosely organized, special interest groups. They shall be required to submit to the S.A.C. the following information:

A. A statement of purpose.

B. A statement of organization, including membership requirements.

C. The name of a faculty or staff advisor and/or a club manager.

The privileges of a Class Three organization shall include the following:

A. The right to advertise.

B. The use of University physical facilities.

APPENDIX H

DISESTABLISHMENT OF STUDENT ORGANIZATIONS

As Approved by Student Affairs Committee

University of Minnesota, Morris

Recognized student organizations shall be considered eligible for disestablishment by the Student Affairs Committee when one of the following criteria is met:

1. When an organization submits a written request for inactivity.
2. When all of the following conditions are fulfilled:
   a. There is no record of any financial activity for the previous year;
   b. No lists of officers have been submitted to the Student Activities Coordinator for a period of one year;
   c. Any of the last listed officers and/or advisers verify the inactivity of a group

      or

      None of the last listed officers and/or advisers can be reached.
   d. For just cause as prescribed by the S.A.C.
3. When a constitutional provision deactivates a group as of a certain date.

APPENDIX I

LETTER OF APPOINTMENT

UNIVERSITY OF *Minnesota*

OFFICE OF THE PRESIDENT
MINNEAPOLIS, MINNESOTA 55455

November 15, 1967

Inside Address

Dear_____:

I am very pleased that you will be able to serve on the new University Commission on Campus Demonstrations. The Commission will be composed of twelve students, ten faculty and one alumnus. Professor D. B. Terrell and Ronald Kirsch, Executive Senator of MSA, have agreed to serve as co-chairmen of the Commission and Dr. James Reeves will serve ex-officio as Secretary.

The need for review of existing policies and practices on campus demonstrations is self-evident. I am asking this Commission to conduct such a review and to make recommendations regarding future University policies on this matter.

Be assured of the full cooperation of my office with this study and our desire to be of service in any way we can.

Sincerely,

Malcolm Moos
President

MM/ja

APPENDIX J

The following persons presented testimony at hearings of the Commission.

MAXWELL ALVORD — Director, College of Liberal Arts Placement

PAUL CASHMAN — Assistant Vice President for Educational Relationships and Development

DAVID COOPERMAN — Chairman, American Association of University Professors, Minnesota Chapter

C. B. HANSCOM — Chief of the University's Department of Police

ARTHUR HIMMELMAN — Graduate Student

ROBERT HOYT — Vice Chairman, Faculty Senate

TERRY MUNN — Graduate Student

JOSEPH ROSENSTEIN — Assistant Professor of Mathematics

ROBERT ROSS — Acting Coordinator of Students' Religious Activities

DONALD K. SMITH — Associate Vice President, Academic Administration

MATTHEW STARK — Chairman, Minnesota Civil Liberties Union

E. G. WILLIAMSON — Dean of Students